

REMARKS

Claims 1-4, 7 and 9 are pending in this application. Claims 1 and 7 are independent claims. By this amendment, claims 1 and 7 are amended, claims 5, 6 and 8 are canceled without prejudice or disclaimer thereto, and new claim 9 is added. Support for new claim 9 can at least be found in applicants' specification on page 14, lines 24-25. Reconsideration in view of the above amendments and following remarks is respectfully solicited.

The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,838,370 to Kaji (hereafter Kaji).

This rejection is respectfully traversed.

Applicants respectfully submit that Kaji fails to teach or suggest each and every feature as set forth in the claimed invention.

Claim 1 recited, *inter alia*, an image sensing system including an image sensing unit for sensing an image of a subject and for outputting image data representing the image of the subject. A volatile memory temporarily stores the image data output from the image sensing unit. A first display controller controls a display unit in such a manner that the image of the subject represented by the image data that has been stored in the volatile memory is displayed on a display screen. A zoom-area designating unit designates a zoom area in the image of the subject being displayed on the display screen. A recording controller records, on a recording medium, image data which is contained in the image data

output from the image sensing device, which is outputted data representing an image within the area designated by the zoom-area designating unit. The recording controller records the image data without interpolation processing.

Claim 7 recites similar features.

For example, in accordance with the present invention, the image of a subject is sensed and the image of the subject thus sensed is displayed on a display screen. Then, a zoom area is designated in the image of the subject displayed on the display screen. Image data representing the image within the designated zoom area and contained in the image data obtained by image sensing is recorded on a recording medium.

However, in the present invention, not all of the data obtained by the image sensing is recorded on the recording medium. Only the image data without an interpolation processing, which is the image within the designated zoom area, is recorded on the recording medium. As a result, the amount of image data recorded is reduced.

In contrast with the present invention, Kaji discloses an image pickup apparatus, such as a video tape recorder. (see Kaji, col. 8, lines 8-33).

Specifically, Kaji merely discloses that a video signal obtained by photographing an object is given to the enlargement processing circuit 5. The enlargement processing circuit 5 thins out pixels and scanning lines of the inputted video signal to enlarge the image, and outputs the enlarged image. The video signal outputted from the enlargement processing circuit 5 is given to the camera signal processing circuit 6, and the video signal is

processed based on interpolation of information between the pixels. The video signal thus processed on interpolation is supplied to the video recorder.

Furthermore, since the image pickup apparatus of Kaji is a video tape recorder, the video signal supplied to the video recorder must include standards corresponding to a movie video signal, such as NTSC, PAL, and SECAM. Accordingly, the amount (a number of lines) of the video signal supplied to the video recorder of Kaji must also include a certain extra amount of standards. As such, the data recorded in Kaji needs the interpolation processing, which results in an increased amount of data being recorded. In other words, the amount of the video signal data recorded in Kaji cannot be decreased.

According to MPEP §2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989). The elements must be arranged as required by the claims, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Applicants respectfully submit that the Office Action has failed to establish the required *prima facie* case of anticipation because the cited reference, Kaji, fails to teach or suggest each

and every feature as set forth in the claimed invention, specifically the recording of image data without interpolation processing.

Applicants respectfully submit that independent claims 1 and 7 are allowable over Kaji for at least the reasons noted above.

Applicants also respectfully point out that claims 5, 6 and 8 are canceled. As such, the rejection with respect to claims 5, 6 and 8 is moot.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-8 under 35 U.S.C. §102(b) is respectfully solicited.

Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Applicants respectfully petition under the provisions of 37 C.F.R. §1.136(a) and §1.17 for a two (2) month extension of time in which to respond to the Examiner's Office Action. The appropriate Extension of Time Fee is attached hereto.

Appl. No.: 09/902,111
Docket No.: 0905-0263P
Reply to Office Action of October 3, 2003

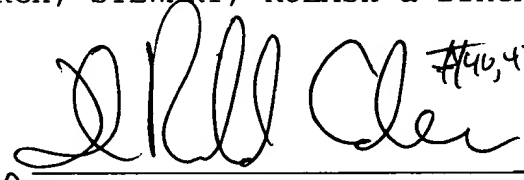
Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.


Respectfully submitted,

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